

1 **STIP**  
2 **GABRIEL L. GRASSO, ESQ.**  
3 **State Bar Number 7358**  
4 **411 S 6th Street**  
5 **Las Vegas, Nevada 89101**  
6 **702-868-8866**  
7 **gabriel@grassodefense.com**  
8 **Attorney for LEWIS**

9  
10 **UNITED STATES DISTRICT COURT**  
11  
12 **IN AND FOR THE DISTRICT OF NEVADA**

13 **UNITED STATES OF AMERICA,** )  
14 )  
15 **Plaintiff,** )  
16 ) **Case No.: 2:18-cr-00055-APG-GWF**  
17 **vs.** )  
18 ) **STIPULATION TO CONTINUE**  
19 **CMONE LEWIS,** ) **SENTENCING**  
20 )  
21 **Defendant.** ) **(THIRD REQUEST)**  
22 )  
23 \_\_\_\_\_ )

24 *Certification:* This stipulation is filed pursuant to General Order 2007-04.

25 IT IS HEREBY STIPULATED AND AGREED, by and between the defendant  
26 CEMONE LEWIS through his attorney GABRIEL L. GRASSO, ESQ., and the United  
27 States of America, through Assistant United States Attorney PHILLIP N. SMITH JR, that  
28 the sentencing hearing currently scheduled for January 25, 2019 at 10:30 a.m., be  
vacated and continued to a date and time convenient to this court, but no event earlier  
than thirty (30) days.

This Stipulation is entered into pursuant to General Order 2007-04 and based  
upon the following:

1. LEWIS is currently set for sentencing on Friday, January 25, 2019.



1  
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10 **UNITED STATES DISTRICT COURT**  
11 **IN AND FOR THE DISTRICT OF NEVADA**

12 **UNITED STATES OF AMERICA,** )  
13 )  
14 **Plaintiff,** )  
15 ) **Case No.: 2:18-cr-00055-APG-GWF**  
16 **vs.** )  
17 ) **STIPULATION TO CONTINUE**  
18 **CEMONE LEWIS,** ) **SENTENCING DATE**  
19 )  
20 **Defendant.** ) **(THIRD REQUEST)**  
21 \_\_\_\_\_ )

22 **FINDINGS OF FACT**

23 Based upon the submitted Stipulation, and good cause appearing therefore, the  
24 Court finds that:

- 25 1. The sentencing date is continued due to defense counsel Grasso  
26 being in the third week of a state court murder trial.  
27 2. This stipulation complies with General Order 2007-04.

28 **CONCLUSIONS OF LAW**

1. Denial of this request for continuance would result in a miscarriage of  
justice.

- 1
2. For all of the above stated reasons, the ends of justice would best be  
2 served by a continuance of the sentencing hearing date.
- 3
3. The additional time requested by the stipulation, is excludable in  
4 computing the time within which the trial herein must commence pursuant  
5 to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), considering the factors  
6 under 18 U.S.C. § 3161(h)(7)(B)(i) and (iv).
- 7
4. This is the third request for continuance.
- 8
- 9

10 **ORDERED**

11 **IT IS ORDERED UNDER** that the sentencing hearing currently scheduled for  
12 Thursday, January 25, 2019, be vacated and continued to March 1, 2019 at  
13 the hour of 10:30 a.m. in Courtroom 6C.

14 IT IS SO ORDERED:

15   
16 \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE

17  
18 DATED: January 24, 2019  
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26  
27  
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